

ce jao

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Pro Se

FILED IN THE
UNITED STATES DISTRICT COURT
DISTRICT OF HAWAII

MAR 06 2019
at 9 o'clock and 45 min. A M
SUE BEITIA, CLERK
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ORIGINAL

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF HAWAII

YA-WEN HSIAO,

Plaintiff,

vs.

ALEXANDER ACOSTA, in his
capacity as the United States Secretary
of Labor,

Defendant.

CIVIL NO. 18-CV-00502-JAO-KJM

**EMERGENCY REQUEST FOR
HEARING ON DEFENDANTS
MOTION TO DISMISS DUE TO
SCANDALOUS AND LIBELOUS
STATEMENTS MADE BY THE
DEFENDANT**

CERTIFICATE OF SERVICE

STATEMENT OF THE ISSUE

On March 4, 2019, the Defendant filed a Motion to Dismiss on the instant case. The Plaintiff on March 6, 2019 filed her “Opposition to Defendant’s Motion to Dismiss” In the Defendants Motion to Dismiss at ECF 13-1 Page 26, the Defendant made the following statement in attacking the Plaintiff’s standing:

“Here, Plaintiff is an alien without lawful status seeking the approval of a labor certification application that had been filed by the Employer”

The Defendant specifically argues in this section that the Government does not protect illegal immigrants hence she does not have standing to sue.

This statement that the Plaintiff is an illegal immigrant is patently and categorically false. The Plaintiff in her opposition has included proof of her lawful legal status in the United States.

However, it is common knowledge that the current general societal and political climate is one of animus towards immigrants, legal or not.

Immigration and Customs Enforcement has been reported to detain even US citizens with the mere suspicion of being an undocumented immigrant.

With these false allegations coming from no less than the Secretary of Labor, the Plaintiff fears for her and her family’s security and safety.

“Credible fear” of prosecution is normally used for people applying for asylum, it is highly ironic and manifest injustice that the Plaintiff now has a “credible fear” from this very Government. The Defendant through the aforementioned statement has put her security and peace of mind even further away in addition to the injustices she has already endured from the Defendant. For the past days and until this is resolved, the Plaintiff wakes up in the middle of the night wondering if ICE will be knocking at her door while her family is sound asleep.

It is important to note that the address the Court requires to be displayed on all pleadings is the true and correct address of the Plaintiff. While counsel's address on file is of their place of work. The Plaintiff's address is of her personal abode.

All filings are of public view. Anyone who has extreme views towards illegal immigrants and immigrants in general who sees this filing essentially has the Plaintiff's address as well.

The Defendant has requested oral arguments on their "Motion to Dismiss". The Plaintiff hereby consents to the oral arguments and further requests the court to hear this matter in an emergency capacity to address the very serious issues presented here.

For these reasons, the Plaintiff prays to the court for an Emergency Hearing on the issues presented here and on the Defendant's Motion to dismiss.

The Plaintiff as a Pro Se litigant further certifies and submits the above statements to be true and correct under penalty of perjury

Respectfully submitted on

March 6, 2019



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CERTIFICATE OF SERVICE

The undersigned hereby certifies that on the date stated below, a true and correct copy of the foregoing document was duly served upon the following by USPS Priority Mail.

Harry Yee

PJKK Federal Building
300 Ala Moana Blvd. Room 6-100
Honolulu HI 96850
USPS Tracking: 9410 8036 9930 0106 5648 11

Samuel P Go

USDOJ/CIVIL/OIL/DCS
P.O. Box 868
Ben Franklin Station
Washington, D.C. 20044
USPS Tracking: 9410 8036 9930 0106 5648 04



Ya-Wen Hsiao

Dated: March 6, 2019, Honolulu HI